



To the Honorable Council
City of Norfolk, Virginia

September 11, 2018

From: Leonard M. Newcomb III, CFM, Acting Planning Director *LMN III*

Subject: **456 Fish**, for the following Conditional Use Permits at 456 Granby Street:

- a. Restaurant operating after 12:00 a.m.
- b. Live Entertainment
- c. Sale of Alcoholic Beverages, Off-Premises

Reviewed:

Ward/Superward: 2/6

[Signature]
Wynter C. Benda, Chief Deputy City Manager

Approved:

[Signature]
Douglas L. Smith, City Manager

Item Number:

C-4

I. **Staff Recommendation:** Approval.

II. **Planning Commission Recommendation:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Conditional Use Permits

IV. **Applicant:** 456 Fish

V. **Description:**

- The site is located Downtown at the southeastern intersection of Granby Street and E. Charlotte Street.
- The purpose of this request is to allow for a change of ownership to an existing restaurant, adding entertainment and retaining the sale of alcoholic beverages for off-premises consumption.

	Current	Proposed
Hours of Operation and for the Sale of Alcoholic Beverages	7:00 a.m. until 2:00 a.m., Monday through Friday 9:00 a.m. until 2:00 a.m., Saturday and Sunday	8:00 a.m. until 2:00 a.m., Seven days a week
Sale of Alcoholic Beverages for Off-Premises Consumption	10:00 a.m. until 12:00 midnight, Monday through Saturday 9:00 a.m. until 12:00 midnight, Sunday	8:00 a.m. until 12:00 midnight, Seven days a week
Off-Premises Alcohol Types	Wine and beer only	<ul style="list-style-type: none"> • 6 packs of beer • Specialty-sized single-servings of beer • Wine (no less than 375 mL) • At least 32 oz. growlers
Capacity	<ul style="list-style-type: none"> • 157 total seats • 175 total capacity 	<ul style="list-style-type: none"> • 120 seats indoors • 17 seats outdoors • 175 total capacity
Entertainment Options	N/A	<ul style="list-style-type: none"> • 3 Member Live Band • Karaoke • Comedian • Poetry Reading

Staff contact: Chris Whitney (757) 823-1253, chris.whitney@norfolk.gov

Attachments:

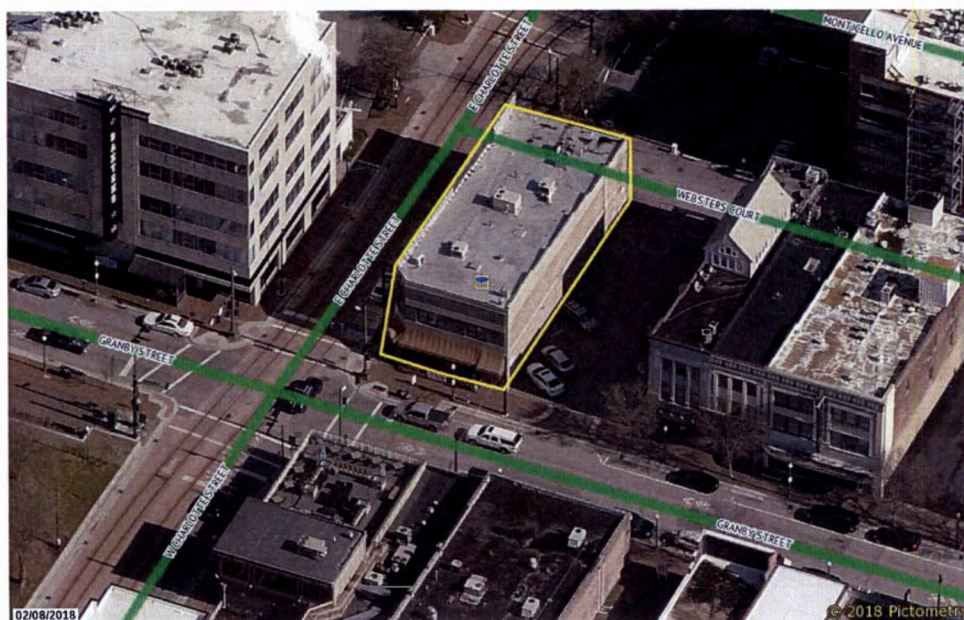
- Proponents and Opponents
- Staff Report to CPC dated August 23, 2018 with attachments
- Ordinance

City Planning Commission Public Hearing: August 23, 2018

for Executive Secretary: Leonard M. Newcomb, III, CFM *R97*

Staff Planner: Chris Whitney, CZA, CFM *cew*

Staff Report	Item No. 11	
Address	456 Granby Street	
Applicant	456 Fish	
Request	Conditional Use Permits	Restaurant with Live Entertainment/Extended hours
		Sale of alcoholic beverages for off-premises consumption
Property Owner	456 Granby Street, LLC	
Site Characteristics	Building/Suite Area	8,164 sq. ft./4,082 sq. ft.
	Future Land Use Map	Downtown
	Zoning	D-MU (Downtown-Mixed Use), HO – Downtown (Downtown Historic Overlay), CRO (Coastal Resilience Overlay)
	Neighborhood	Downtown
	Character District	Downtown
Surrounding Area	North	D-MU: Baxter's, condos above
	East	D-MU: Parking lot
	South	D-MU: Bodega, The V.I.P Lounge barbershop, Scotty Quixx
	West	D-MU: Leone's, Monastery, Rama Garden Thai Cuisine



A. Summary of Request

- The site is located Downtown at the southeastern intersection of Granby Street and E. Charlotte Street.
- The purpose of this request is to allow for a change of ownership to an existing restaurant, adding entertainment and retaining the sale of alcoholic beverages for off-premises consumption.

B. Plan Consistency

The proposed use is consistent with *plaNorfolk2030*, which designates this site as Downtown.

C. Zoning Analysis**i. General**

- This site is zoned D-MU, which permits the proposed uses by Conditional Use Permit.

	Current	Proposed
Hours of Operation, for the Sale of Alcoholic Beverages, and for Entertainment	7:00 a.m. until 2:00 a.m., Monday through Friday 9:00 a.m. until 2:00 a.m., Saturday and Sunday	8:00 a.m. until 2:00 a.m., Seven days a week
Sale of Alcoholic Beverages for Off-Premises Consumption	10:00 a.m. until 12:00 midnight, Monday through Saturday 9:00 a.m. until 12:00 midnight, Sunday	8:00 a.m. until 12:00 midnight, Seven days a week
Off-Premises Alcohol Types	Wine and beer only	<ul style="list-style-type: none"> • 6 packs of beer • Specialty-sized single-servings of beer • Wine (no less than 375 mL) • At least 32 oz. growlers
Capacity	<ul style="list-style-type: none"> • 157 total seats • 175 total capacity 	<ul style="list-style-type: none"> • 120 seats indoors • 17 seats outdoors • 175 total capacity
Entertainment Options	N/A	<ul style="list-style-type: none"> • 3 Member Live Band • Karaoke • Comedian • Poetry Reading

- History

City Council Approval	Applicant	Changes
2003	456 Fish by Sture V. Sigfred, Jr. M.D.	Initial applications - <ul style="list-style-type: none"> • Eating and Drinking Establishment • Sale of Alcoholic Beverages for Off-Premises Consumption
Pending	456 Fish by Vicki Baylor	<ul style="list-style-type: none"> • Change of Owner • Expanded Hours • Addition of Entertainment

ii. Parking

The site is located within the D-MU zoning district, which does not require off-street parking.

iii. Flood Zone

The property is located in the X (Shaded) Flood Zone, which is a moderate-risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that this establishment will generate 179 fewer vehicle trips per day by decreasing total indoor seating this location by 37 seats below currently approved levels.
- Granby Street adjacent to the site is not identified as a severely congested corridor in either the AM or PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit services with Hampton Roads Transit bus routes 1 (Granby) and 3 (Chesapeake) operating near the site and light rail available at the nearby Monticello station.
- Granby Street near to the site is an identified priority corridor in *The City of Norfolk Bicycle and Pedestrian Strategic Plan*.

E. Historic Resources Impacts

- The site is located within the Downtown Historic Overlay District (HO-Downtown) and is a contributing structure.
- Any modifications to the exterior of the building visible from the public right-of-way are subject to Architectural Review Board approval for a Certificate of Appropriateness.

F. Public Schools Impacts

According to the *Existing ABC Establishments and Norfolk Public Schools Proximity Map* (see attached), the proposed property is not within 1,000 feet of a Norfolk Public School.

G. Environmental Impacts

There are no opportunities for landscaping or stormwater management improvements for this site.

H. AICUZ Impacts

N/A

I. Surrounding Area/Site Impacts

- This site is located Downtown, which is developed with a mix of commercial uses as well as residential and office uses.
- This application should have no adverse impact on the surrounding area.
- Over the past year, there were twelve (12) calls for police service, with one arrest made.
- By requiring this use to conform to the conditions listed below, the proposal should not have a negative effect on the surrounding neighborhood.

J. Payment of Taxes

The owners of the property are current on all taxes.

K. Civic League

Notice was sent to the Downtown Norfolk Civic League and Downtown Norfolk Council on July 11.

L. Communication Outreach/Notification

- Legal notice was posted on the property on July 10.
- Letters were mailed to all property owners within 300 feet of the property on August 9.
- Legal notification was placed in *The Virginian-Pilot* on August 9 and August 16.

M. Recommendation

Staff recommends that the conditional use permits be **approved**, subject to the following conditions:

Restaurant Operating after Midnight with Live Entertainment - Conditions

- (a) The operation of the principal use of Restaurant must be conducted in accordance with the applicable performance standards that are set forth in section 4.2 of the Norfolk Zoning Ordinance:
 - 1) No alcoholic beverages shall be sold for on-premises or off-premises consumption without the proper approvals from the Alcoholic Beverage Control Board. The sale of alcoholic beverages shall be limited to the times approved by the ABC Board.
 - 2) Waste shall be stored in appropriate containers not visible from the public right-of-way or from any area accessible to the

- public.
 - 3) All exterior areas shall be maintained in a clean and orderly fashion.
 - 4) All ground level and rooftop mechanical equipment shall be fully screened from view from public streets and from ground level locations within adjacent Residential districts.
 - 5) Seats shall be provided for at least 80 percent of patrons at all times.
 - 6) A food menu shall be provided at all times that alcohol is sold.
- (b) The operation of the accessory use of Live Entertainment must be conducted in accordance with the applicable performance standards that are set forth in section 4.3 of the Norfolk Zoning Ordinance:
- 1) Except as otherwise expressly allowed in this Ordinance, an accessory use shall not be established or constructed before the establishment or construction of the principal use.
 - 2) If the principal use is destroyed or removed, the accessory use shall no longer be allowed.
 - 3) The gross floor area of accessory uses shall not exceed 25 percent of the gross floor area of the principal use(s) on the lot.
- (c) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (d) Each of the conditional use permits granted herein expressly requires that every other permit granted herein remains actively used and valid. The revocation, termination, or expiration of any one of the permits granted herein shall constitute grounds for revocation of every other permit granted herein.
- (e) The hours of operation for the establishment, for the on-premises sale of alcoholic beverages, and for live entertainment shall be limited to 8:00 a.m. until 2:00 a.m., seven days a week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (f) The seating for the establishment shall not be less than 120 seats indoors, shall not be more than 17 seats outdoors, and the total occupancy, including employees, shall not exceed 175 people.
- (g) No entertainment shall be permitted anywhere outside the building.
- (h) No amplified sound shall be permitted in any outdoor area, including the outdoor dining area, after 10:00 p.m. Sunday through Thursday nor after

12:00 midnight on Friday and Saturday.

- (i) No smoking shall be permitted anywhere in the outdoor dining area. Signage notifying patrons of this restriction shall be conspicuously posted.
- (j) The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
- (k) Entertainment shall be limited to live bands having no more than three (3) members, karaoke, comedian, and poetry reading. No other form of entertainment is permitted.
- (l) There shall be no dancing and no dance floor provided.
- (m) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B." Any tables, chairs, booths, stools or other movable furniture may be relocated provided that it conforms with all building code requirements.
- (n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the conditional use permit so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (o) The establishment shall maintain a current, active business license at all times while in operation.
- (p) The establishment shall remain current on all food and beverage taxes, business personal property taxes, and other local taxes which may become due while it is in operation.
- (q) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons by printing it either on the menu or a card placed on each table and the bar.
- (r) The business authorized by this ordinance shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this ordinance. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new conditional use permit must be obtained.

Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (s) The conditional use permit or permits granted herein that relate to retail alcoholic beverage control licensees shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permit is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (t) The violation of any condition, requirement, or limitation imposed by the Virginia ABC Commission shall be deemed a violation of this ordinance. Any conditional use permit granted by the ordinance may be revoked for any violation of a general or specific condition, including a condition incorporated by reference or arising from conditions, requirements, or limitations imposed on any aspect of the operation of the establishment by the ABC Commission or by Virginia law.
- (u) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (v) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (w) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (x) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.

- (y) A copy of this conditional use permit ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this conditional use permit ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (z) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This ordinance;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (aa) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 99 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p.m. each Friday and Saturday as well as during special events, a security supervisor certified in accordance with the requirements

of the Virginia Department of Criminal Justice Services shall be present on the property.

- (bb) The written security plan submitted to the City as part of the application for this permit and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Sale of Alcoholic Beverages for Off-Premises Consumption - Conditions

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 8:00 a.m. until 12:00 a.m., seven days a week.
- (b) This conditional use permit shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permit is granted showing the new owner, whichever is earlier.
- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans, with the exception of those bottled beers which are exclusively produced in bottles greater than 12 ounces but less than 64 ounces in size. However, beer may be sold in refillable growler containers which have a minimum capacity of 32 oz. No wine shall be sold in containers less than 375 ml each.
- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this conditional use permit shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this conditional use permit. Should any owner,

operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new conditional use permit must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this conditional use permit. This conditional use permit may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this conditional use permit ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this conditional use permit ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (j) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the conditional use permit so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (k) At all times, all temporary window signage must comply with the applicable regulations of section 5.7 of the Norfolk Zoning Ordinance.

Attachments

Conditional Use Permit Review Standards

Overview map

Location map

Zoning map

1000' radii map of similar ABC establishments and Norfolk Public Schools

Applications

Notification list of all property owners within 300 feet of the site

Notice to the Downtown Norfolk Civic League and Downtown Norfolk Council

Proponents and Opponents

Proponents

James Hixon – Applicant
3329 Kline Drive
Norfolk, VA 23452

F. Sullivan Callahan – Representative
327 Duke Street
Norfolk, VA 23510

Dr. Sture V. Sigfred, Jr.
305 Brooke Avenue
Norfolk, VA 23510

Opponents

None

Form and Correctness Approved: *ZAP*

By *Adrian Neal*

Office of the City Attorney

Contents Approved: *CW*

By *Deon M. Newcomb*

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No. 47,350

C-4

AN ORDINANCE GRANTING CONDITIONAL USE PERMITS TO AUTHORIZE THE OPERATION OF A RESTAURANT OPERATING AFTER MIDNIGHT WITH LIVE ENTERTAINMENT AND THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION, NAMED "456 FISH," ON PROPERTY LOCATED AT 456 GRANBY STREET.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That conditional use permits are hereby granted authorizing the operation of the following principal uses and accessory uses:

- (a) Restaurants operating after midnight (principal use)
- (b) Live Entertainment (accessory use)
- (c) Sale of Alcoholic Beverages, off-premises (accessory use)

Section 2:- That the full extent of the property or properties where the permit or permits described above are hereby made effective, upon the date set forth below, is described as follows:

Property fronts 100 feet, more or less, along the southern line of Charlotte Street and 91 feet, more or less, along the eastern line of Granby Street; premises numbered 456 Granby Street.

Section 3:- That the conditional use permits granted herein shall be subject to all of the general conditions set forth in section 2.4.8.D of the Norfolk Zoning Ordinance and all of the following additional conditions, requirements, and limitations:

- (a) The operation of the principal use of Restaurant must be conducted in accordance with the applicable performance standards that are set forth in section 4.2 of the Norfolk Zoning Ordinance at the time of adoption of this ordinance.

- (b) The operation of the accessory uses of Live Entertainment, Sale of Alcoholic Beverages, Off-Premises, and Late night food and beverage sales must be conducted in accordance with the applicable performance standards that are set forth in section 4.3 of the Norfolk Zoning Ordinance at the time of adoption of this ordinance.
- (c) Each of the conditional use permits granted herein expressly requires that every other permit granted herein remains actively used and valid. The revocation, termination, or expiration of any one of the permits granted herein shall constitute grounds for revocation of every other permit granted herein.
- (d) The hours of operation for the establishment and for live entertainment shall be limited to 8:00 a.m. until 2:00 a.m. the following morning, seven days a week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (e) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 8:00 a.m. until 12:00 midnight, seven days per week.
- (f) The seating for the establishment shall not be less than 120 seats indoors, shall not be more than 17 seats outdoors, and the total occupancy, including employees, shall not exceed 175 people.
- (g) The business authorized by this conditional use permit shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this conditional use permit. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The conditional use permit or permits granted herein that relate to retail alcoholic beverage

control licensees shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permits is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

- (i) This conditional use permit shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new conditional use permit is granted showing the new owner, whichever is earlier.
- (j) No smoking shall be permitted anywhere in the outdoor dining area. Signage notifying patrons of this restriction shall be conspicuously posted.
- (k) The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
- (l) Entertainment shall be limited to live bands having no more than three (3) members, disc jockey, karaoke, comedian, and poetry reading. No other form of entertainment is permitted.
- (m) No entertainment shall be permitted anywhere outside the building.
- (n) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto

and marked as "Exhibit B." Any tables, chairs, booths, stools or other movable furniture may be relocated provided that it conforms with all building code requirements.

- (o) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (p) There shall be no dancing and no dance floor provided.
- (q) The establishment shall maintain a current, active business license at all times while in operation.
- (r) The establishment shall remain current on all food and beverage taxes, business personal property taxes, and other local taxes which may become due while it is in operation.
- (s) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons by printing it either on the menu or a card placed on each table and the bar.
- (t) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the conditional use permit so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (u) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this conditional use permit. This conditional use permit may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (v) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (w) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (x) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (y) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (z) A copy of this conditional use permit ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this conditional use permit ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (aa) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This ordinance;

- (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (5) Any health department permit(s);
 - (6) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (bb) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever entertainment is being provided and occupancy shall exceed 132 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p.m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (cc) The written security plan submitted to the City as part of the application for this conditional use permit and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

- (dd) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold for off-premises consumption.
- (ee) No alcoholic beverage having more than 21% alcohol by volume shall be sold for off-premises consumption.
- (ff) No beer shall be sold for off-premises consumption in any package containing fewer than four (4) bottles or cans, with the exception of those bottled beers which are exclusively produced in bottles greater than 12 ounces but less than 64 ounces in size. However, beer may be sold in refillable growler containers which have a minimum capacity of 32 oz. No wine shall be sold in containers less than 375 ml each.
- (gg) At all times, all temporary window signage must comply with the applicable regulations of section 5.7 of the Norfolk Zoning Ordinance.

Section 4:- That the City Council hereby determines that the conditional use permit or permits granted herein comply with each of the standards set forth in section 2.4.8.C of the Norfolk Zoning Ordinance.

Section 5:- That, because the operation of this establishment in the manner proposed in the application requires the grant of more than one conditional use permit, the City Council finds that its operation is only appropriate at the location where it is being authorized when conducted in the manner proposed, as modified by the City Council, and that each permit should be subject to the same conditions, requirements and limitations in order to constrain the operation in a manner that adequately protects public health safety and welfare.

Section 6:- That this ordinance hereby amends the previously granted special exceptions permitting an eating and drinking establishment and the sale of alcoholic beverages for off-premises consumption on this property, adopted on August 19, 2003 (Ordinance Nos. 41,133 and 41,134). All provisions and conditions previously approved are entirely superseded by the terms of this ordinance.

Section 7:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (6 pages)

Exhibit B (1 page)

Adopted by Council September 11, 2018
Effective September 11, 2018

TRUE COPY

TESTE:

RICHARD ALLAN BULL, CITY CLERK

BY:

CHIEF DEPUTY CITY CLERK



EXHIBIT "A"

Description of Operations

Sale of Alcoholic Beverage for Off-Premises

Date of Application: 6/20/18

Name of business: 456 Fish

Address of business: 456 Granby Street

Name(s) of business owner(s)*: 456 Granby Street, LLC / Vicki C. Baylor + James A. Hixon

Name(s) of property owner(s)*: 456 Granby Street LLC / Sture Sigfred

Name of business managers/operators Vicki C. Baylor Carson Hilfinger

Adie Hendrix ; Moses Wade ; Perrin Priest

Daytime telephone number: (757) 496-5382

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From: <u>8 am</u> To: <u>2 am</u>	Weekday	From: <u>8 am</u> To: <u>12 midnight</u>
Friday	From: <u>8 am</u> To: <u>2 am</u>	Friday	From: <u>8 am</u> To: <u>12 midnight</u>
Saturday	From: <u>8 am</u> To: <u>2 am</u>	Saturday	From: <u>8 am</u> To: <u>12 midnight</u>
Sunday	From: <u>8 am</u> To: <u>2 am</u>	Sunday	From: <u>8 am</u> To: <u>12 midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2018)

Sale of Alcoholic Beverages for Off-Premises

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

Except for specialty-sized beers (imports) and
refillable growlers (32oz)

Victoria C. Bayler
Signature of applicant/owner



EXHIBIT "A"

Description of Operations

Restaurant with Entertainment/Extended Hours of Operation

(Please Print)

Date: 6/20/18

Trade name of business: 456 Fish

Address of business: 456 Granby Street

Name(s) of business owner(s)*: 456 Granby LLC/Vicki C. Baylor + James A. Hixon

Name(s) of property owner(s)*: 456 Granby Street LLC/Sture Sigfred

Name of business managers/operators Vicki C. Baylor ; Carson Hilfiger

Adre Hendrix ; Moses Wade ; Perrin Priest

Daytime telephone number: (757) 496-5382

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility

Alcoholic Beverage Sales and Entertainment

Weekday From: 8 am To: 2 am Weekday From: 8 am To: 2 am

Friday From: 8 am To: 2 am Friday From: 8 am To: 2 am

Saturday From: 8 am To: 2 am Saturday From: 8 am To: 2 am

Sunday From: 8 am To: 2 am Sunday From: 8 am To: 2 am

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises

☒ Off-Premises (second application required)

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

Exhibit A – Page 3

Restaurant with Entertainment/Extended Hours of Operation

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed

4. Will video games, pool tables, game boards or other types of games be provided?

☐ Yes (If more than 4, additional application required) ☒ No

4a. If yes, please describe type and number of each game to be provided:

5. Will patrons ever be charged to enter the establishment?

☐ Yes ☒ No

5a. If yes, why:

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?

☒ Yes ☐ No

6a. If yes, explain:

Pharmaceutical meetings, Board meetings,
Celebrations

7. Will a third party (promoter) be permitted to lease, let or use the establishment?

☐ Yes ☒ No

7a. If yes, explain:

8. Will there ever be a minimum age limit?

☐ Yes ☒ No

Exhibit A – Page 4

Restaurant with Entertainment/Extended Hours of Operation

9. Additional comments/description/operational characteristics or prior experience:

Combined over 30 years experience operating 6
restaurants in downtown Norfolk. No ABC violations

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building code requirements for such facility

Heidi C. Baylor
Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet

Restaurant with Entertainment/Extended Hours of Operation

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (Including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

101

Number of bar seats

19

Standing room

20

b. Outdoor

Number of seats

17

c. Number of employees

18

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 175

2. Entertainment

List ANY type of entertainment proposed (such as 3-member live band, karaoke, comedian, or poetry reading.)

up to 3 member live band

3. Will a dance floor be provided?

☐ Yes

☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

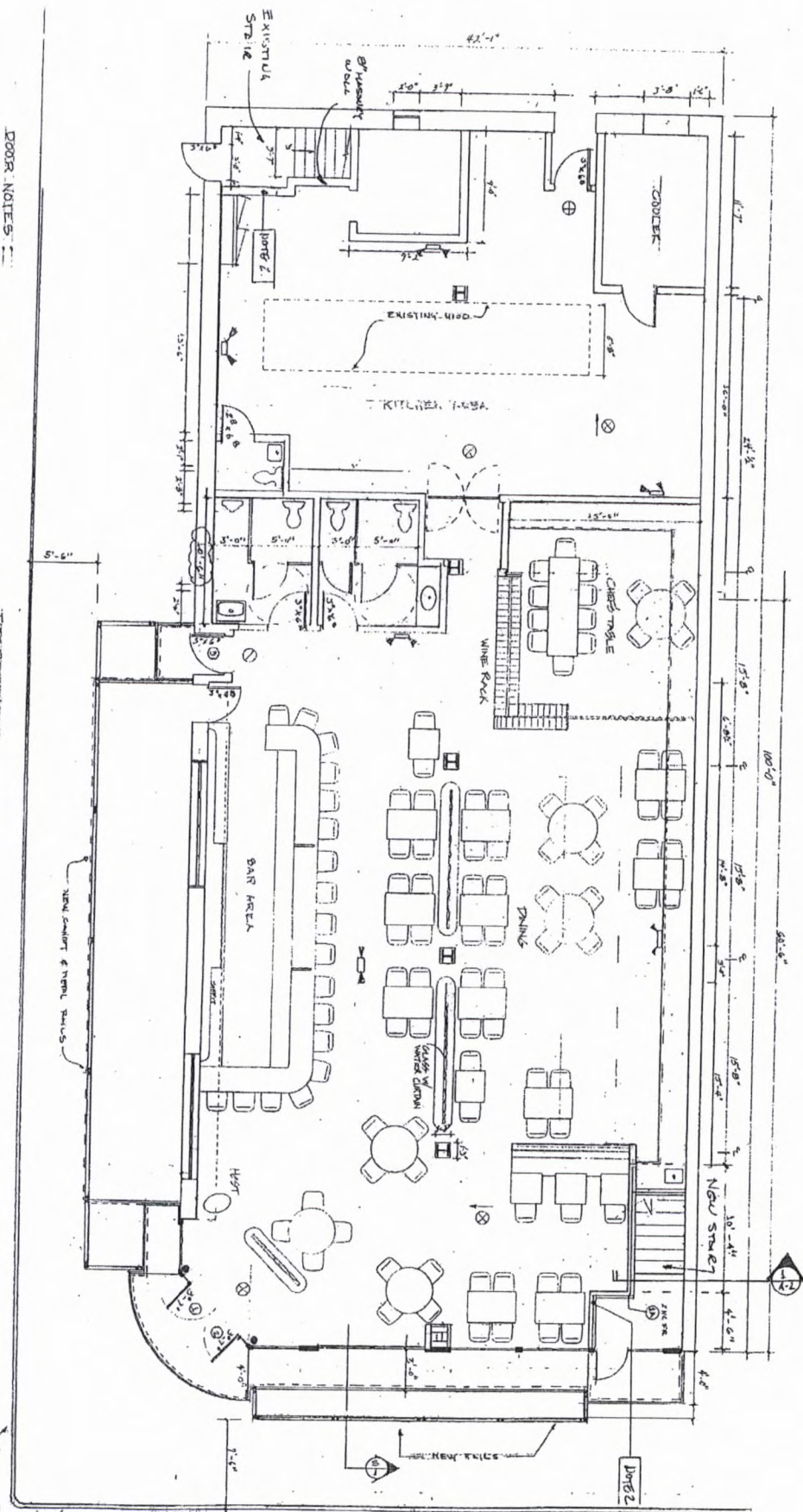
810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

Exhibit B



DOOR NOTES:

FIRE RATING NOTES:

7-11-03

456 FISH

A-1

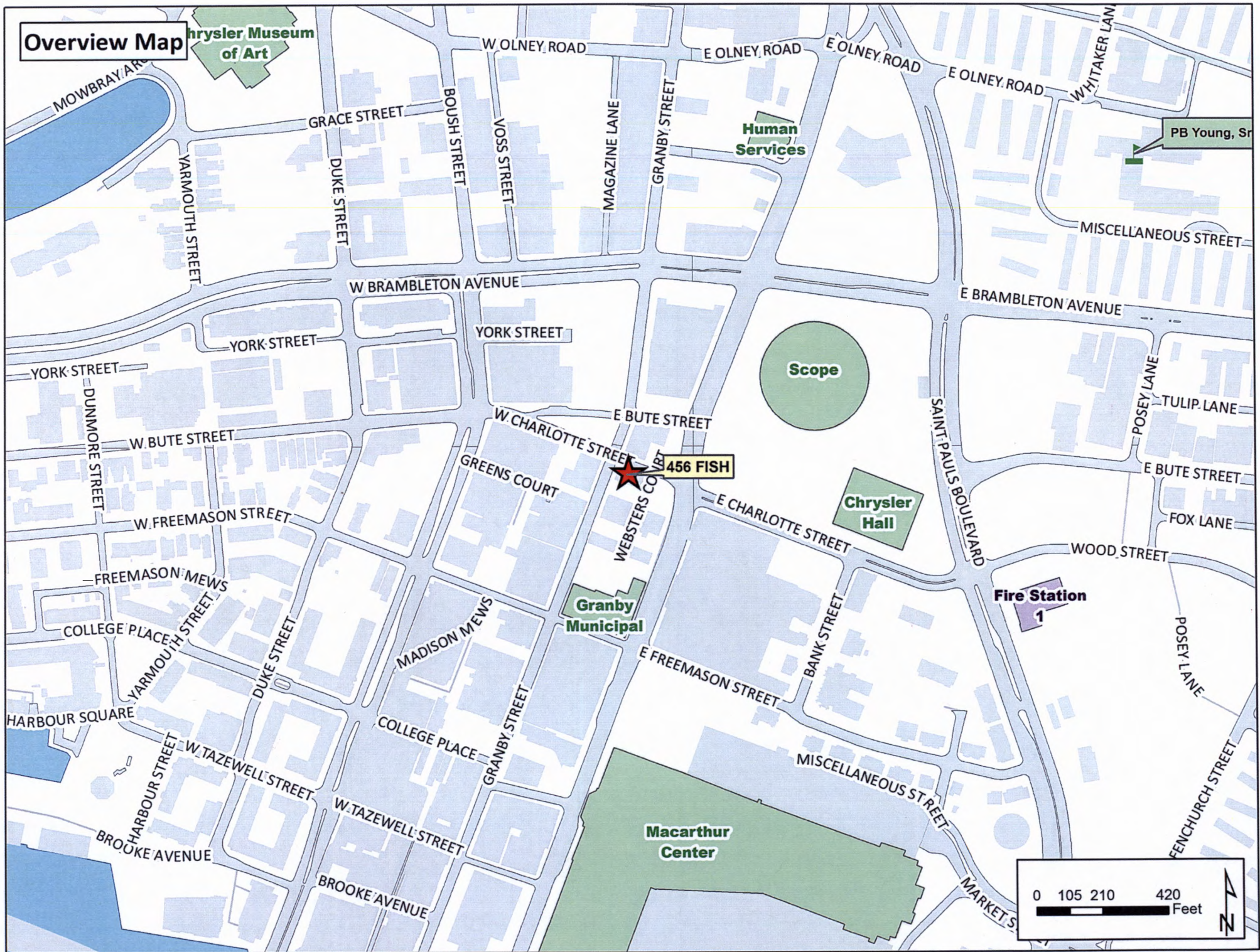
456 FISH

2.4.8.C. CONDITIONAL USE PERMIT REVIEW STANDARDS

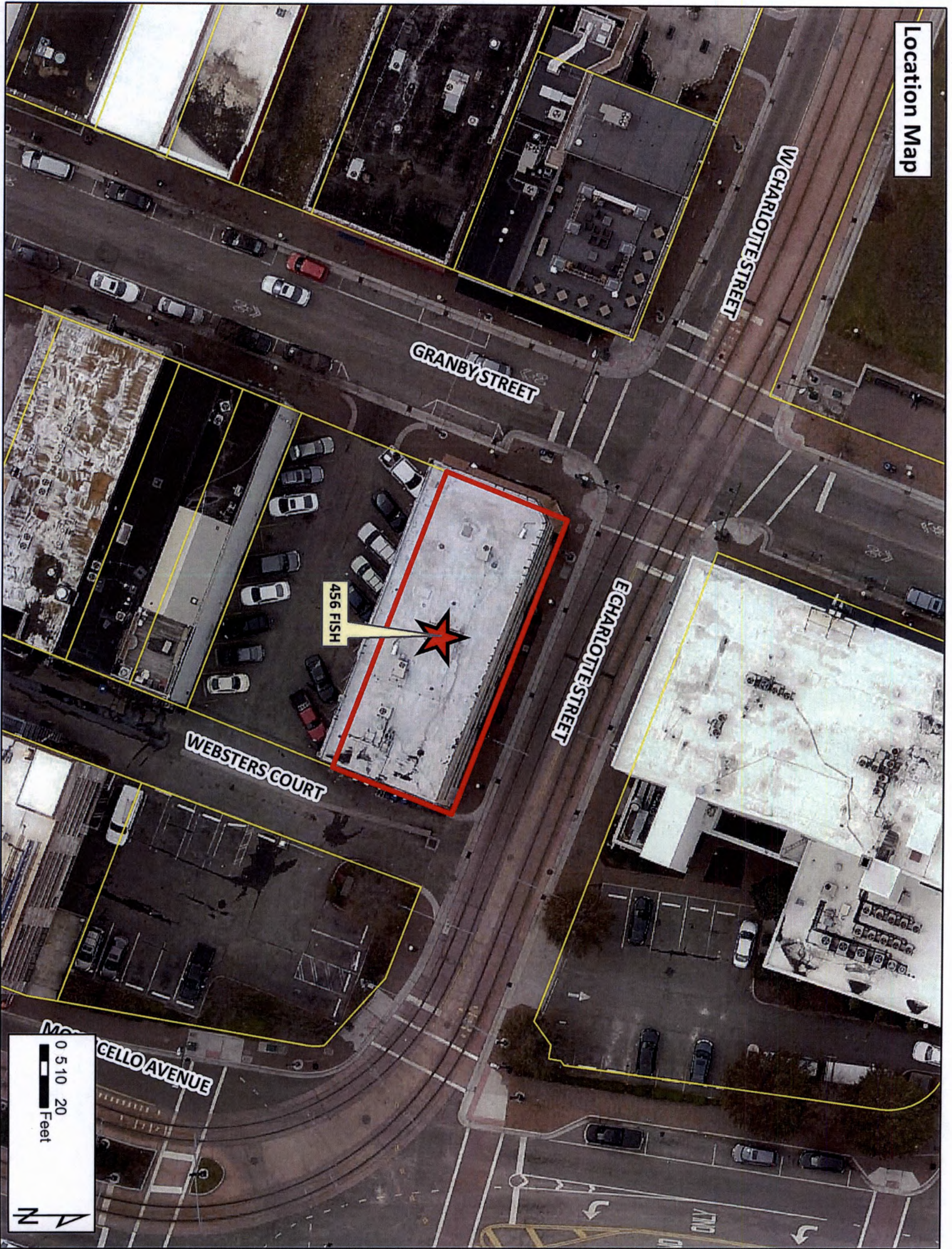
A Conditional Use Permit may be approved if the applicant demonstrates that the proposed conditional use:

- 1) Is consistent with the purposes, goals and policies of the comprehensive plan and other applicable city-adopted plans;
- 2) Complies with all applicable zoning district-specific standards in Article 3. Zoning Districts;
- 3) Complies with all applicable use-specific standards in Article 4. Performance Standards;
- 4) Complies with all applicable development and design standards in Article 5. Development Standards;
- 5) Complies with all relevant subdivision and infrastructure standards in Chapter 42.5 of City Code;
- 6) Is appropriate for its location and is compatible with the general character of surrounding lands and the types, scale, and intensity of uses allowed in the zoning district where proposed;
- 7) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- 8) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, night-time activity, and other site elements;
- 9) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- 10) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- 11) Is served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- 12) Maintains adequate parking, loading and other necessary facilities to serve the proposed use;
- 13) Will not substantially diminish or impair the value of the land within the neighborhood in which it is located.
- 14) Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various Conditional Use Permits of all types on the immediate neighborhood and the effect of the proposed type of Conditional Use Permit on the city as a whole;
- 15) Complies with all other relevant city, state and federal laws and standards; and
- 16) Is required by the public necessity, convenience, general welfare, or good zoning practice.

Overview Map



Location Map



456 FISH

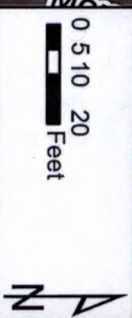
GRANBY STREET

W CHARLOTTE STREET

E CHARLOTTE STREET

WEBSTERS COURT

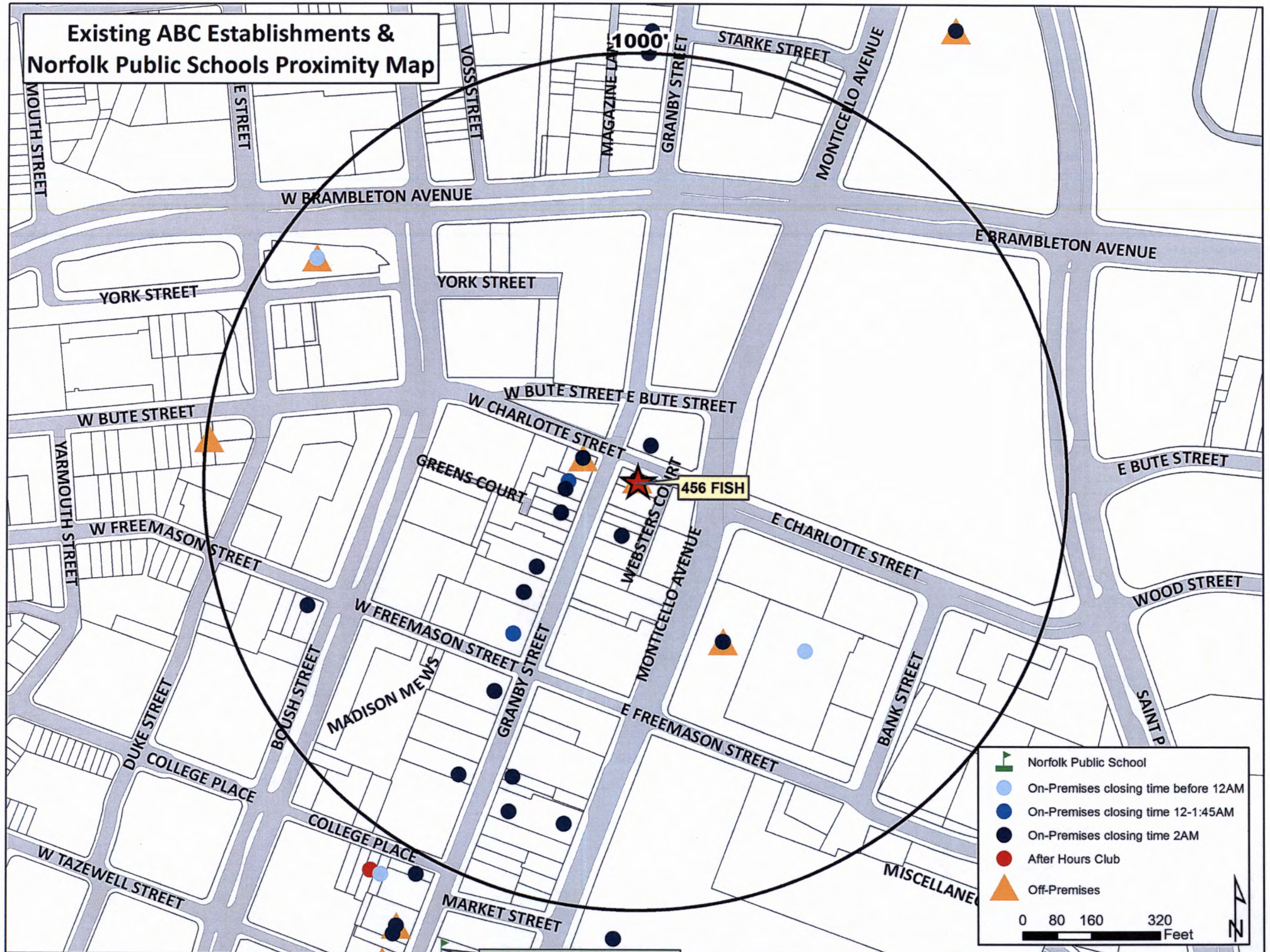
MONTECELLO AVENUE



Zoning Map



Existing ABC Establishments & Norfolk Public Schools Proximity Map





**Application
Conditional Use Permit
Restaurant with Entertainment /Late Hours of Operation
(Please Print)**

Date: 6/20/18

DESCRIPTION OF PROPERTY

Address: 456 Granby Street

Existing Use of Property: restaurant

Proposed Use: restaurant

Current Building Square Footage: ~4082 Proposed Building Square Footage: ~4082

Trade Name of Business (If applicable): 456 Fish

APPLICANT*

1. Name of applicant: (Last) Baylor (First) Vicki (MI) C

Mailing address of applicant (Street/P.O. Box): 248 W. Bute St, Suite 201

(City): Norfolk (State): VA (Zip Code): 23510

Daytime telephone number of applicant: 757 496-5382

E-mail address: jason.baylorcorp.com

AUTHORIZED AGENT* (if applicable)

2. Name of applicant: (Last) Callahan (First) F. (MI) Sullivan

Mailing address of applicant (Street/P.O. Box): 327 Duke St

(City): Norfolk (State): VA (Zip Code): 23510

Daytime telephone number of applicant: 757 623-5000 Fax: 757-962-6062

E-mail address: Sully@fsullivancallahan.com

Application

Conditional Use Permit - Restaurant with Entertainment/Extended Hours of Operation

Page 2

PROPERTY OWNER*

456 Granby Street LLC
3. Name of property owner: (Last) Sigfred (First) Sture (MI) ✓
Mailing address of property owner (Street/P.O. box): 305 Brooke Ave. Unit 404
(City): Norfolk (State): VA (Zip Code): 23510
Daytime telephone number of owner: 757 544-5757
E-mail address: ssigfred@cox.net

*(If applicant/agent/property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

CIVIC LEAGUE INFORMATION

Civic League contact: Kevin Rafferty
Date meeting attended/held: May 24, 2018 + June 18, 2018
Ward/Super Ward information: _____

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Sture V. Sigfred, Jr Sign: [Signature] 6/20/18
(Property Owner) (Date)

Print name: VICKI C BAYLOR Sign: Vicki C. Baylor 6/20/18
(Applicant) (Date)

(If Applicable)

Print name: E. Sullivan Callahan Sign: [Signature] 6/20/18
(Authorized Agent Signature) (Date)

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)



EXHIBIT "A"

Description of Operations

Restaurant with Entertainment/Extended Hours of Operation
(Please Print)

Date: 6/20/18

Trade name of business: 456 Fish

Address of business: 456 Granby Street

Name(s) of business owner(s)*: 456 Granby LLC/Vicki C. Baylor + James A. Hixon

Name(s) of property owner(s)*: 456 Granby Street LLC/Sture Sigfred

Name of business managers/operators Vicki C. Baylor ; Carson Hilfiger

Adre Hendrix ; Moses Wade ; Perrin Priest

Daytime telephone number: (757) 496-5382

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility Alcoholic Beverage Sales and Entertainment

Weekday From: 8 am To: 2 am Weekday From: 8 am To: 2 am

Friday From: 8 am To: 2 am Friday From: 8 am To: 2 am

Saturday From: 8 am To: 2 am Saturday From: 8 am To: 2 am

Sunday From: 8 am To: 2 am Sunday From: 8 am To: 2 am

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises

☒ Off-Premises (second application required)

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

Exhibit A – Page 3

Restaurant with Entertainment/Extended Hours of Operation

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed

4. Will video games, pool tables, game boards or other types of games be provided?

☐ Yes (If more than 4, additional application required) ☒ No

4a. If yes, please describe type and number of each game to be provided:

5. Will patrons ever be charged to enter the establishment?

☐ Yes ☒ No

5a. If yes, why:

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?

☒ Yes ☐ No

6a. If yes, explain:

Pharmaceutical meetings, Board meetings,
Celebrations

7. Will a third party (promoter) be permitted to lease, let or use the establishment?

☐ Yes ☒ No

7a. If yes, explain:

8. Will there ever be a minimum age limit?

☐ Yes ☒ No

Exhibit A – Page 4

Restaurant with Entertainment/Extended Hours of Operation

9. Additional comments/description/operational characteristics or prior experience:

Combined over 30 years experience operating 6
restaurants in downtown Norfolk. No ABC violations

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building code requirements for such facility

Victoria C. Baylor
Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet

Restaurant with Entertainment/Extended Hours of Operation

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

161

Number of bar seats

19

Standing room

20

b. Outdoor

Number of seats

17

c. Number of employees

18

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 175

2. Entertainment

List ANY type of entertainment proposed (such as 3-member live band, karaoke, comedian, or poetry reading.)

up to 3 member live band

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

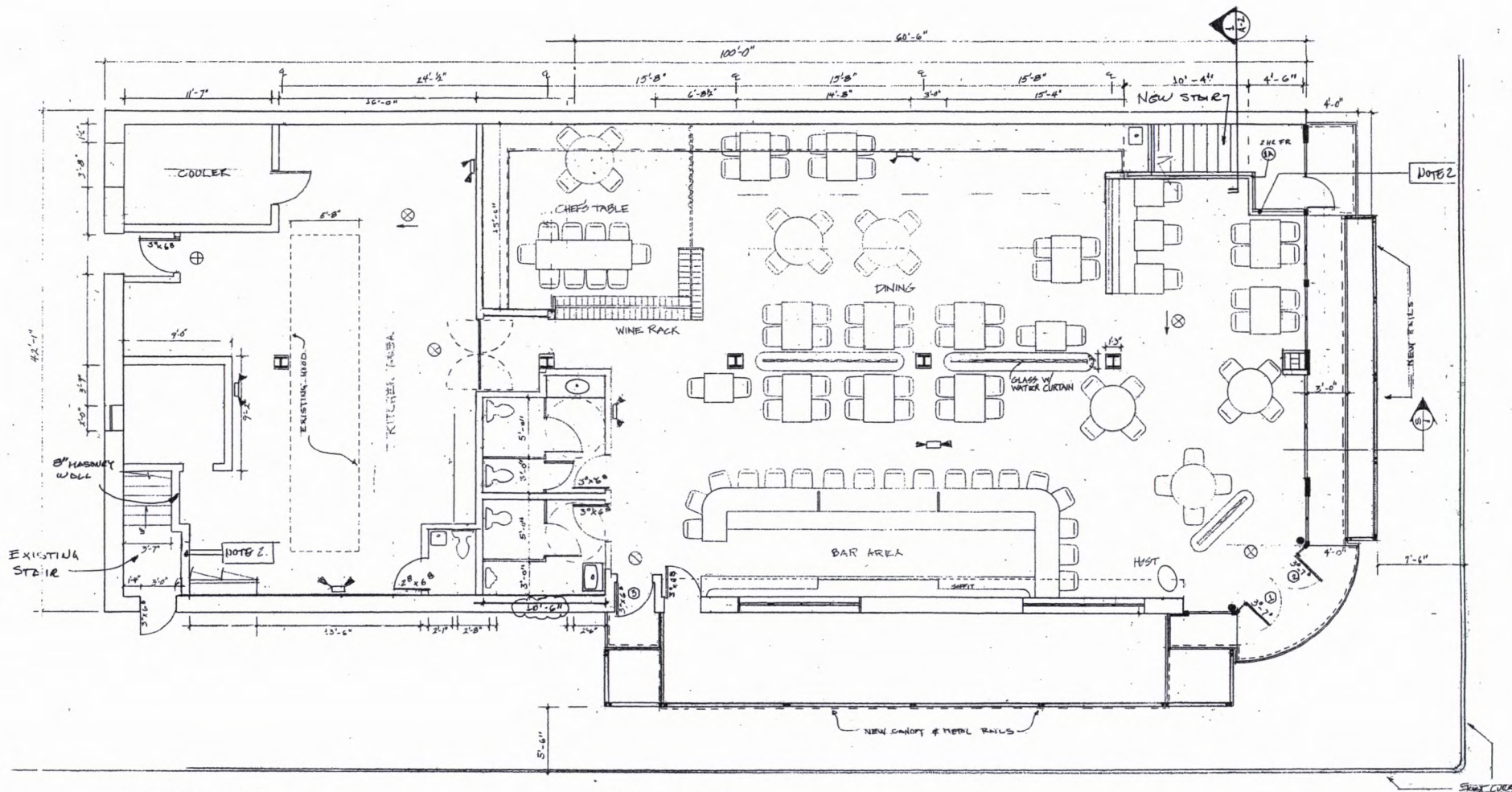
810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

HS 14 95h



DOOR NOTES:

- 1: DOOR SIZES AS PER NOTED ON THIS PLAN
- 2: DOORS (C) (C) (C) HARDWARE TO BE STANDARD
STOREFRONT DOOR HARDWARE PACKAGE PROVIDE
PULL GUARD HARDWARE
- 3: ALL OTHER DOORS HARDWARE TO BE LEVER
VIEWER TAG SET

FIRE RATING NOTES:

1. GLASS ASSEMBLY 2 HRS.
2. WELLS 2 HRS.
- ⊗ EXIT LIGHT



456 FISH RESTAURANT

A-1

THIS IS TO CERTIFY THAT I ON JUNE 17, 1997 SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN.

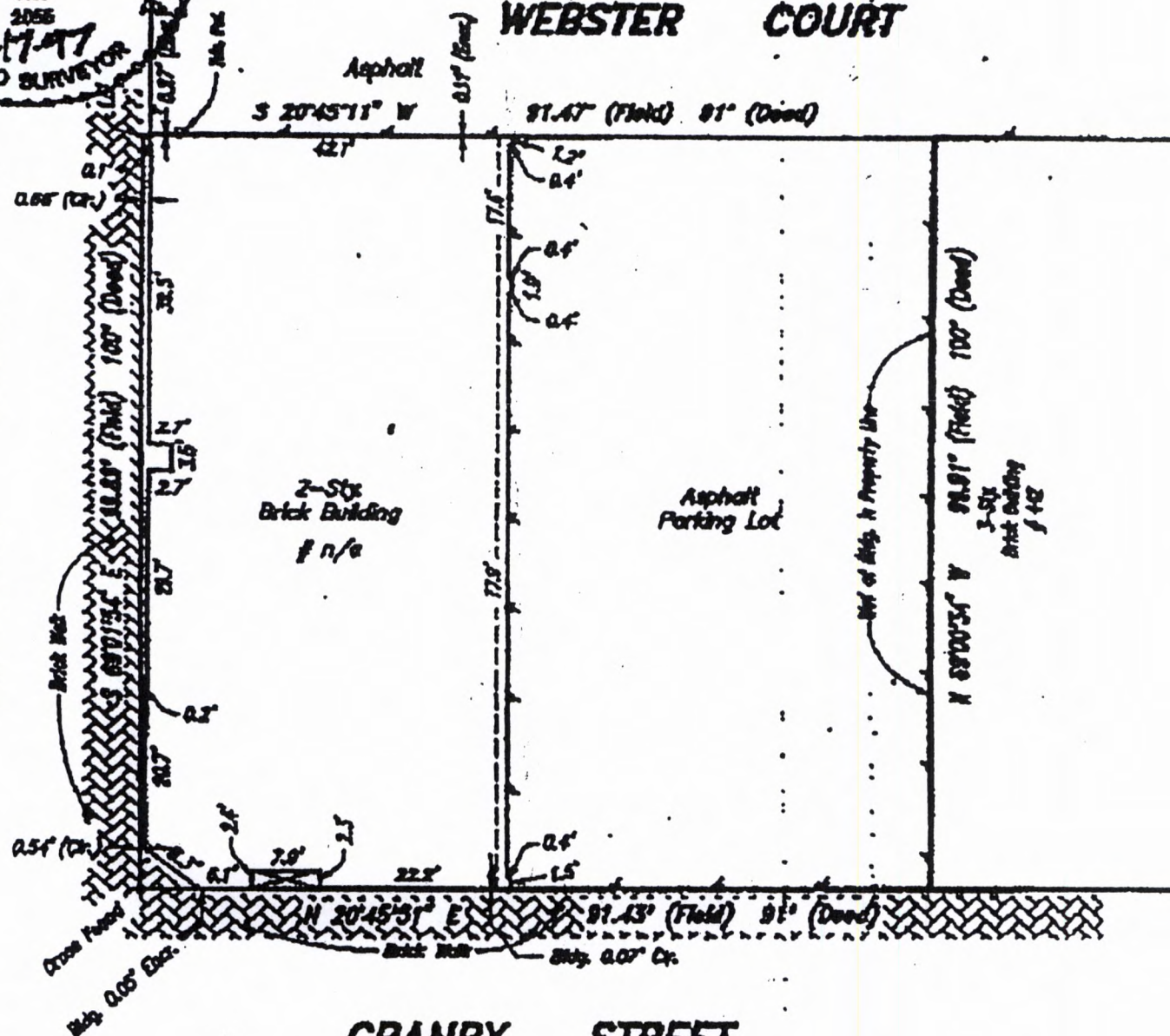


CHARLOTTE STREET

WEBSTER COURT

Asphalt

S 20°45'11" W 42.7' 91.47' (Field) 91° (Deed)



GRANBY STREET

Note:
Address not displayed
at time of survey

Physical Survey
of
Property Known As # 440-450 & # 452-456 GRANBY STREET
Norfolk, Virginia
for
M.S.M. PARTNERSHIP

456 FISH

NOTES:
1) THE SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY/all ENCROACHMENTS OR EASEMENTS ONLY WHAT APPEARS ON THE PROPERTY AS SHOWN.
2) LEE S. ROOD, P.C. IS NOT A PARTY IN DETERMINING THE ACCURACY OF THE PLAT AND THEREFORE ON THE PROPERTY AS SHOWN.
3) THE SURVEY DOES NOT FULLY SHOW THE PROPERTY

LEE S. ROOD, P.C.
Land Surveyors
5737 BARTEE STREET

NOTE:
AS SHOWN ON THE FLOOD INSURANCE RATE MAP, THIS PROPERTY APPEARS TO FALL IN:
FLOOD ZONE (N) "C"
510104

**SECURITY PLAN
FOR
456 Fish
456 Granby Street
Norfolk, VA**

Goals:

- To create a safe and secure environment within 456 Fish for patrons.
- To provide a level of control and safety for all arriving and departing guests of 456 Fish.
- To mitigate any noise of inappropriate conduct by patrons of 456 Fish entering or leaving the facility which impairs the quiet enjoyment of immediate neighbors, particularly residents living nearby.
- To peacefully and effectively resolve all dangerous situations before any injury to any person or property may occur. The 456 Fish staff or security team shall provide an assertive presence by displaying integrity and professionalism while executing their duties and responsibilities in an effort to maintain security, protection, and safety of members of the public.
- To ensure a complete, orderly, safe and swift evacuation of the facility in case of fire, explosion, or any other uncontrolled dangers within the building.
- To protect and promote the courteous, inviting, and hospitable character of the neighborhood and the City of Norfolk generally.

EMERGENCY EVACUATION PLAN:

The emergency steps of the evaluation plan are as follows:

- 456 Fish has a front entrance/exit, a side exit in the dining area of the restaurant and a rear exit.
- The staff will be in charge of escorting the guests in the rear of the restaurant through the rear exit and the side exit located in the dining area. The staff will be in charge of escorting guests located in the front of the restaurant and in the outdoor seating area through the front exit.
- All exiting guests will be escorted by the staff across the street to a nearby safe location at least 500 feet from the building and the staff will remain with the guests until further instructions are given.
- The general manager will verify that all guests have safely exited the restaurant.
- If for any reason the rear exits are blocked then the front exits will be used. If for any reason the front exits are blocked then the guests will be escorted to the rear exits.

Rules and Regulations:

All rules and regulations of 456 Fish will be applied to every guest with consistency and integrity to provide a safe and fun environment not only for guests but for the staff members and surrounding neighbors.

Item Code:

1. No weapons of any kind, i.e. Tasers, ace, guns, sticks and bowie knives, including chain wallets, pocket knives and long jewelry chains.
2. There is a zero tolerance policy for controlled substances of any kind.
3. No guest will be over-served alcohol for any reason and guests will be limited to two drinks per order.
4. There will be no intoxicated person on premise at any time.



Application
Conditional Use Permit
Sale of Alcoholic Beverages for Off-Premises
(Please Print)

Date 6/20/18

DESCRIPTION OF PROPERTY

Address: 456 Granby Street

Existing Use of Property: restaurant

Proposed Use: restaurant

Current Building Square Footage: 4082 Proposed Building Square Footage: 4082

Trade Name of Business (if applicable): 456 Fish

APPLICANT*

1. Name of applicant: (Last) Baylor (First) Vicki (MI) C

Mailing address of applicant (Street/P.O. Box): 248 W. Bute Street, Suite 201

(City): Norfolk (State): VA (Zip Code): 23510

Daytime telephone number of applicant: 757-496-5382

E-mail address: jim@baylorcorp.com

AUTHORIZED AGENT* (if applicable)

2. Name of applicant: (Last) Callahan (First) Sully (MI)

Mailing address of applicant (Street/P.O. Box): 327 Duke Street

(City): Norfolk (State): VA (Zip Code): 23510

Daytime telephone number of applicant: 757-623-5000 Fax 757-962-6062

E-mail address: Sully@fsullivancallahan.com

Application
Conditional Use Permit - Sale of Alcoholic Beverages for Off-Premises
Page 2

PROPERTY OWNER*

3. Name of property owner: (Last) 456 Granby Street LLC
Sigfred (First) Sture (MI) _____

Mailing address of property owner (Street/P.O. box): 305 Brooke Ave, Unit 404

(City): Norfolk (State): VA (Zip Code): 23510

Daytime telephone number of owner: 757 544-5757

E-mail address: ssigfred@cox.net

*(If applicant/agent/property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

CIVIC LEAGUE INFORMATION

Civic League contact: Kevin Rafferty

Date meeting attended/held: May 24, 2018 + June 18, 2018

Ward/Super Ward information: _____

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Sture V. Sigfred, Jr. Sign: AVA 6/20/18
(Property Owner) (Date)

Print name: VICKI C BAYLOR Sign: Vicki C. Baylor 6/20/18
(Applicant) (Date)

(If Applicable)

Print name: E. Sullivan Callahan Sign: ES Callahan 6/20/18
(Authorized Agent Signature) (Date)



EXHIBIT "A"

Description of Operations
Sale of Alcoholic Beverage for Off-Premises

Date of Application: 6/20/18
Name of business: 456 Fish
Address of business: 456 Granby Street
Name(s) of business owner(s)*: 456 Granby Street, LLC / Sture Sigfred
Name(s) of property owner(s)*: 456 Granby Street LLC
Name of business managers/operators Vicki C. Baylor Carson Hilfiger
Adie Hendrix ; Moses Wade ; Perrin Priest
Daytime telephone number: (757) 496-5382

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From: <u>8 am</u> To: <u>2 am</u>	Weekday	From: <u>8 am</u> To: <u>12 midnight</u>
Friday	From: <u>8 am</u> To: <u>2 am</u>	Friday	From: <u>8 am</u> To: <u>12 midnight</u>
Saturday	From: <u>8 am</u> To: <u>2 am</u>	Saturday	From: <u>8 am</u> To: <u>12 midnight</u>
Sunday	From: <u>8 am</u> To: <u>2 am</u>	Sunday	From: <u>8 am</u> To: <u>12 midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2018)

Exhibit A – Page 2

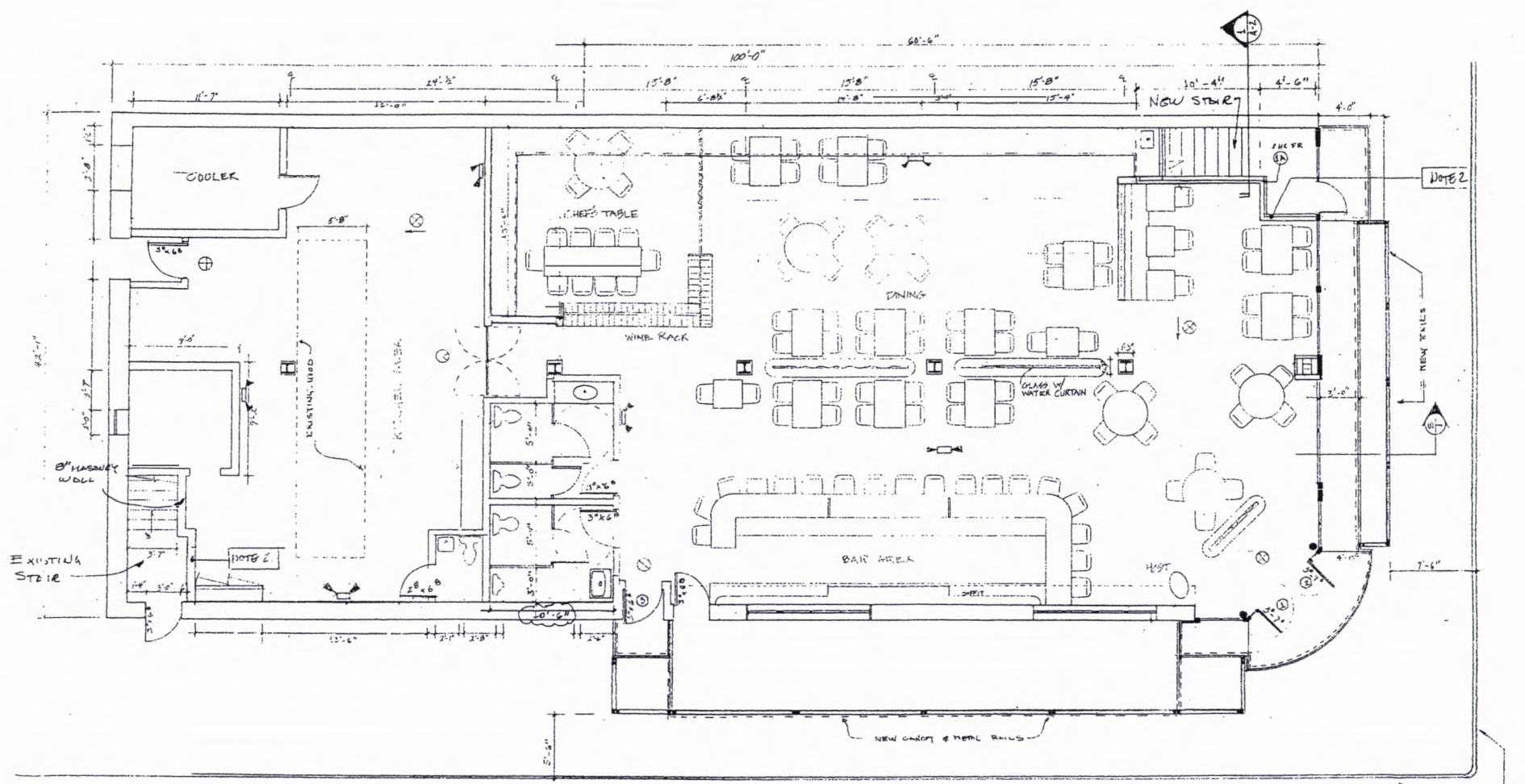
Sale of Alcoholic Beverages for Off-Premises

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

Except for specialty-sized beers (imports) and
refillable growlers (32oz)

Wade C. Bayler
Signature of applicant/owner

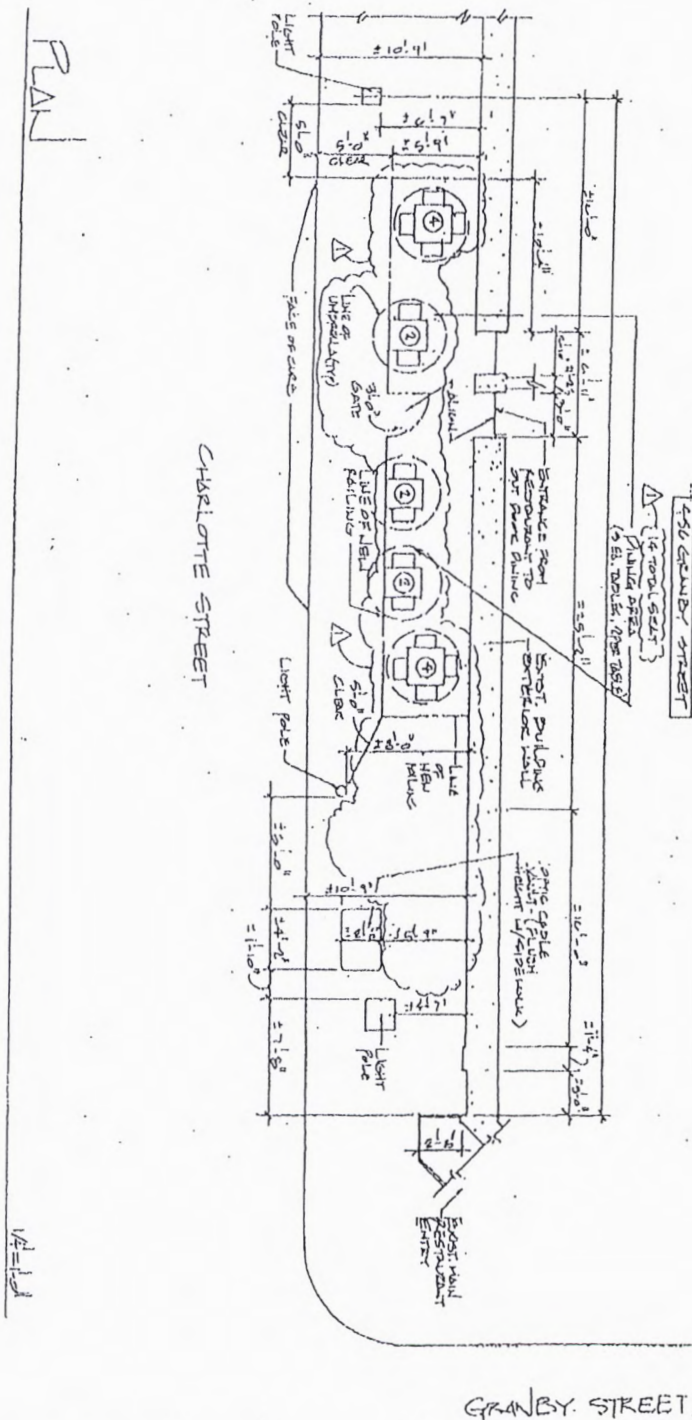
454 9/5/17



- DOOR NOTES:
- 1: DOOR SIZES AS PER NOTES ON THIS PLAN
 - 2: DOORS ① ② ③ HARDWARE TO BE STANDARD
STOREFRONT DOOR HARDWARE PACKAGE PROVIDE
Panic Glass Hardware

- FIRE RATING NOTES:
- 1: CEILING ASSEMBLY 2 HRS.
 - 2: WALLS 2 HRS

EXHIBIT A



GRANBY STREET

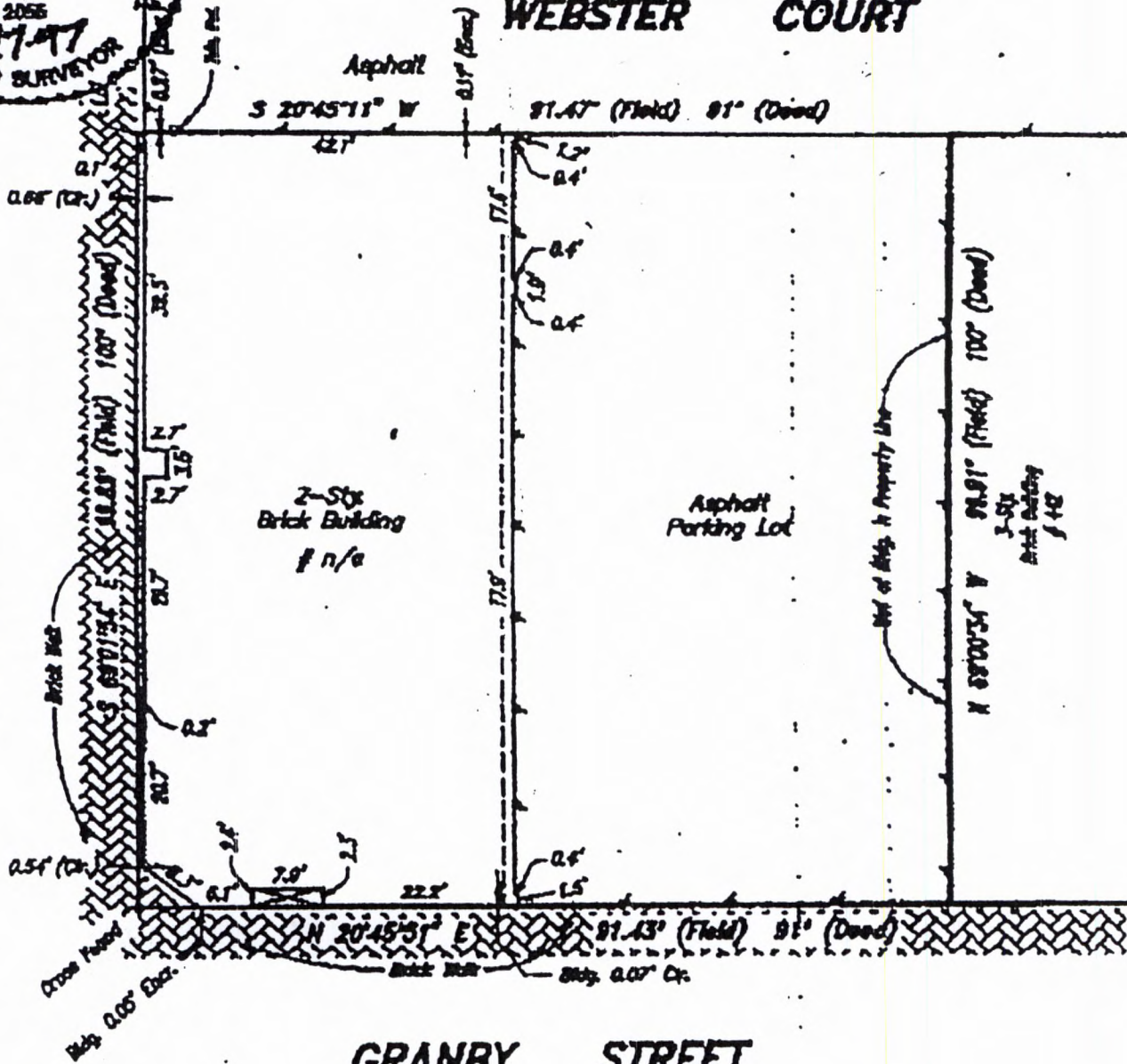
	311 Via Pitt Street, Suite 200 Norfolk, Virginia 23510 (757) 633-0551 (F) 633-6955 (C)	Outdoor Dining for the Charlotte Street Side for 456 Fish Restaurant 456 Granby Street Norfolk, Virginia	
---	--	---	---

THIS IS TO CERTIFY THAT I ON JUNE 17, 1997 SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN.



CHARLOTTE STREET

WEBSTER COURT



GRANBY STREET

Note:
Address not displayed
at this survey.

Physical Survey
of
Property Known As # 440-450 & # 452-456 GRANBY STREET
Norfolk, Virginia
for
M.S.M. PARTNERSHIP

456 FISH

NOTES
1) THE SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL ENCUMBRANCES OR ADVERSE CLAIMS THAT MAY AFFECT SAID PROPERTY AS SHOWN.
2) LEE S. ROOD, P.C. IS NOT A PARTY TO DETERMINING THE REQUIREMENTS FOR PLANNING AND CONSTRUCTION ON THE PROPERTY SHOWN HEREON.

LEE S. ROOD, P.C.
Land Surveyors

NOTE
AS SHOWN ON THE FLOOD INSURANCE RATE MAP, THIS PROPERTY APPEARS TO FALL IN :
FLOOD ZONE A1
FLOOD

456 Fish -Notification sent to all Property Owners within 300ft

<u>Property Owners</u>	<u>Property Address</u>	<u>Mailing Address</u>		
2109-211 Granby Street, Llc	2349 Haversham Close	Virginia Beach	VA	23454-1154
415 Granby, Llc	Po Box 11659	Norfolk	VA	23517-0659
433 Granby Street, Llc	427 Granby St	Norfolk	VA	23510-1913
450 Boush Llc	207 Granby St Ste 203	Norfolk	VA	23510-1825
455 Granby Llc	1423 N Great Neck Rd Ste 105	Virginia Beach	VA	23454-1305
456 Granby Street Llc	305 Brooke Ave Unit 404	Norfolk	VA	23510-1347
500 Granby, Llc	273 Granby St Ste 300	Norfolk	VA	23510-1813
Alfonso, Roben E	500 Granby St Unit 5e	Norfolk	VA	23510-1945
Andrews, Bradley S & Melissa A	435 Monticello Ave Unit 500-D	Norfolk	VA	23510-2554
Ashe-Groove Landmark, Llc	2349 Haversham Close	Virginia Beach	VA	23454-1154
Ashton, Stuart	3900 Woodley Dr	Alexandria	VA	22309
Barajas, John C Et Al	500 Granby St Unit 3c	Norfolk	VA	23510-1945
Benbrook, Nolan J	500 Granby St Unit 5a	Norfolk	VA	23510-1945
Blakely, Garth	426 Granby St Unit 3a	Norfolk	VA	23510-1958
Bolch, Gregory	500 Granby St Unit 4f	Norfolk	VA	23510-1945
Broderick, Mandy I	435 Monticello Ave Unit 300c	Norfolk	VA	23510-2546
Carter, Michael J Et Al	1280 Riverside Dr	Aspen	CO	81611
Chapman, Donald E Et Al	435 Monticello Ave Unit 200d	Norfolk	VA	23510-2542
Ciao Bambino Llc	425 Monticello Ave	Norfolk	VA	23510-2408
Crisostomo, Shiela Et Al	245 E 40th St	Norfolk	VA	23504-1007
Cyr, Jeffrey	500 Granby St Unit 4a	Norfolk	VA	23510-1945
Epworth United Methodist Ch Trs	124 W Freemason St	Norfolk	VA	23510-1918
Five Hundred Granby Llc	273 Granby St Ste 300	Norfolk	VA	23510-1813
Four Forty Granby Llc	3772 Jefferson Blvd	Virginia Beach	VA	23455-1638
Four-Twenty-One Granby Llc	273 Granby St Ste 300	Norfolk	VA	23510
Frazier, Timothy S	435 Monticello Ave Unit 200c	Norfolk	VA	23510-2541
Gibson, Nickolas	500 Granby St Unit 2f	Norfolk	VA	23510-1902
Gnk, Llc	Po Box 11659	Norfolk	VA	23517-0659
Gray, James R	435 Monticello Ave Unit 400d	Norfolk	VA	23510-2550
Growing Norfolk, Llc	427 Granby St	Norfolk	VA	23510-1913
Hall, Stephen C	435 Monticello Ave Unit 400b	Norfolk	VA	23510-2548
Hixon, James A	3329 Kline Dr	Norfolk	VA	23452-6281
Howard, Hugh Wyman Iii & Sarah Joann	426 Granby St Unit 2b	Norfolk	VA	23510-1958
Hurwitz, Allison M	500 Granby St Unit 3e	Norfolk	VA	23510
Jerabek, Anna	1637 Whitehorn Rd	Virginia Beach	VA	23455
Jerome, James P	435 Monticello Ave Unit 400c	Norfolk	VA	23510-2549
Inj Enterprises, Llc	4419 Ocean View Ave	Virginia Beach	VA	23455-1526
Johnson, Paige Christian	435 Monticello Ave Unit 400a	Norfolk	VA	23510-2547
Kelly, Maurice	905 Catskill Ct Ne	Leesburg	VA	20176-6650
Korzeniowska, Ewa Et Al	435 Monticello Ave Unit 300a	Norfolk	VA	23510-2543
Lane, Jack	513 Coastal Dr	Virginia Beach	VA	23451-7105
Leila, Llc	7464 Millbrook Rd	Norfolk	VA	23505-3350
Levy, Alexander	426 Granby St Unit 3b	Norfolk	VA	23510-1958

Lilly, Mark J Et Al	435 Monticello Ave Unit 500a	Norfolk	VA	23510
Long, Avery Brockman	435 Monticello Ave Unit 300b	Norfolk	VA	23510-2544
Marathon Development Group Inc	Po Box 11659	Norfolk	VA	23517-0659
Mccarthy, Travis	500 Granby St Unit 3f	Norfolk	VA	23510-1945
Mendoza, John & Grace	500 Granby St Unit 2b	Norfolk	VA	23510-1945
Menna, Jeffery T	500 Granby St Unit 2e	Norfolk	VA	23510
Mlligan, Leslie A	435 Monticello Ave Unit 500b	Norfolk	VA	23510-2552
Montagna, Lucian F Jr Et Als	5520 Janet Dr	Norfolk	VA	23513-1509
Nguyen, Anh-Tuan V Et Al	309 172nd Pl Se	Mill Creek	WA	98012
North Property, Llc	431 Granby St	Norfolk	VA	23510-1913
Oates Enterprises Li Llc	3613 Prince Andrew Ln	Virginia Beach	VA	23452
Openmfg Holdings, Llc	119 W York St	Norfolk	VA	23510
Pirhadi, Nathan C & Ruth M R	500 Granby St Unit 5f	Norfolk	VA	23510-1902
Pitney, Adam W	9405 Sharla Dr	River Ridge	LA	70123-2050
Place, Joseph N & Kathryn	435 Monticello Ave Unit 200b	Norfolk	VA	23510-2540
Quinn, Celia L Et Al	500 Granby St Unit 4c	Norfolk	VA	23510-1902
Retail At The Hofflin, Llc	2349 Haversham Close	Virginia Beach	VA	23454-1154
Shull, Eugene	435 Monticello Av Unit 300d	Norfolk	VA	23510-2545
Sigfred, Sture V Jr	305 Brooke Ave Apt 404	Norfolk	VA	23510-1347
Slnwc Office Company Llc	Po Box 2491	Norfolk	VA	23501
Syne Trek, Llc	3142 Inlet Rd	Virginia Beach	VA	23454-1027
This Town, Llc	433 South Lee St	Alexandria	VA	22314-3815
Tucker, Travis	500 Granby St Unit 5b	Norfolk	VA	23510-1945
U S A	P O Box 17181	Fort Worth	TX	76102-0181
Usa	Po Box 3215	Norfolk	VA	23514-3215
Weakland, Norman E & Jennifer	500 Granby St Unit 4e	Norfolk	VA	23510-1945
Webb, Amos T & Donna Kerr	426 Granby St Unit 2a	Norfolk	VA	23510-1958
Welton Property, Llc	273 Granby St Ste 300	Norfolk	VA	23510-1800
Williams, Zachary J	435 Monticello Ave Unit 200a	Norfolk	VA	23510-2539

Simons, Matthew

From: Williams, Sherri
Sent: Wednesday, July 11, 2018 3:42 PM
To: Miller, Mary; 'dncl@welovenorfolk.org'
Cc: McClellan, Andria; Doyle, Courtney; McCoy, Breanna; Whitney, Chris
Subject: New Planning Commission Application-456 Granby Street
Attachments: Application Restaurant w Entertainment.pdf; Application-ABC off Premises.pdf

Mr./Mrs.

Attached please find the following applications tentatively scheduled to be heard at the August 23, 2018 Planning Commission public hearing:

456 FISH, for the following Conditional Use Permits at 456 Granby Street:

- a. Restaurant operating after 12:00 a.m.
- b. Live Entertainment.
- c. Sale of Alcoholic Beverages, Off-Premises.

The purpose of this request is to allow the restaurant to operate after 12:00 a.m. with live entertainment and to sell alcoholic beverages for off-premises consumption under new ownership.

Staff contact: Chris Whitney at (757) 823-1253, chris.whitney@norfolk.gov

Thank You

Sherri Williams
Planning Technician

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